

CHAPTER NO. 358**SENATE BILL NO. 2327****By Kyle, Jackson, Burks****Substituted for: House Bill No. 2343****By McMillan, Fitzhugh**

AN ACT to amend Tennessee Code Annotated, Titles 4 and 41, relative to the department of correction.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 41, Chapter 24, is amended by adding the following new Section:

Section ____.

(a) Notwithstanding any provisions of law to the contrary, including Tennessee Code Annotated, Section 8-30-309, and recognizing the years of faithful and dedicated service to the department by the employees of community services agencies providing correctional health services for the department, community services agency employees who serve in jobs that would be classified as career service as defined in Tennessee Code Annotated, Section 8-30-208, had they been employed in the State Service, and whose functions and positions are transferred to the department by the commissioner on or before July 1, 2005, shall be transferred into the department and shall receive the benefits and protection of career service status and shall be eligible for participation in the state health insurance plan upon passage of this act without further examination or competition.

(b) No employee so transferred shall be subject to the provisions of Tennessee Code Annotated, Sections 8-30-312 through 8-30-314, as a result of this transfer if such employee has worked for the community services agencies for a length of time equal to the probationary period applying to the equivalent civil service position and, if not, the employee shall complete the probationary period after their transfer to the department of correction.

(c) All such transfers shall take place no later than July 1, 2005.

(d) Transfers of employees from the community services agencies to the department pursuant to this section shall not result in any diminution, impairment or interruption of current salary, accrued sick and annual leave, seniority, participation in the Tennessee consolidated retirement system, or amounts already accrued under a deferred compensation plan; provided, however, this shall not impair the department's authority, through established policies and procedures, to correct salary disparities.

(e) Any employee so transferred shall be eligible for promotion pursuant to the provisions of Title 8, Chapter 30, after the transfer takes effect.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 18, 2005


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 7th day of June 2005


PHIL BREDESEN, GOVERNOR